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PROPOSALS

For Raifing a

Million of Money

OUT OF THE

Forfeited Eftates in *IRELAND*:

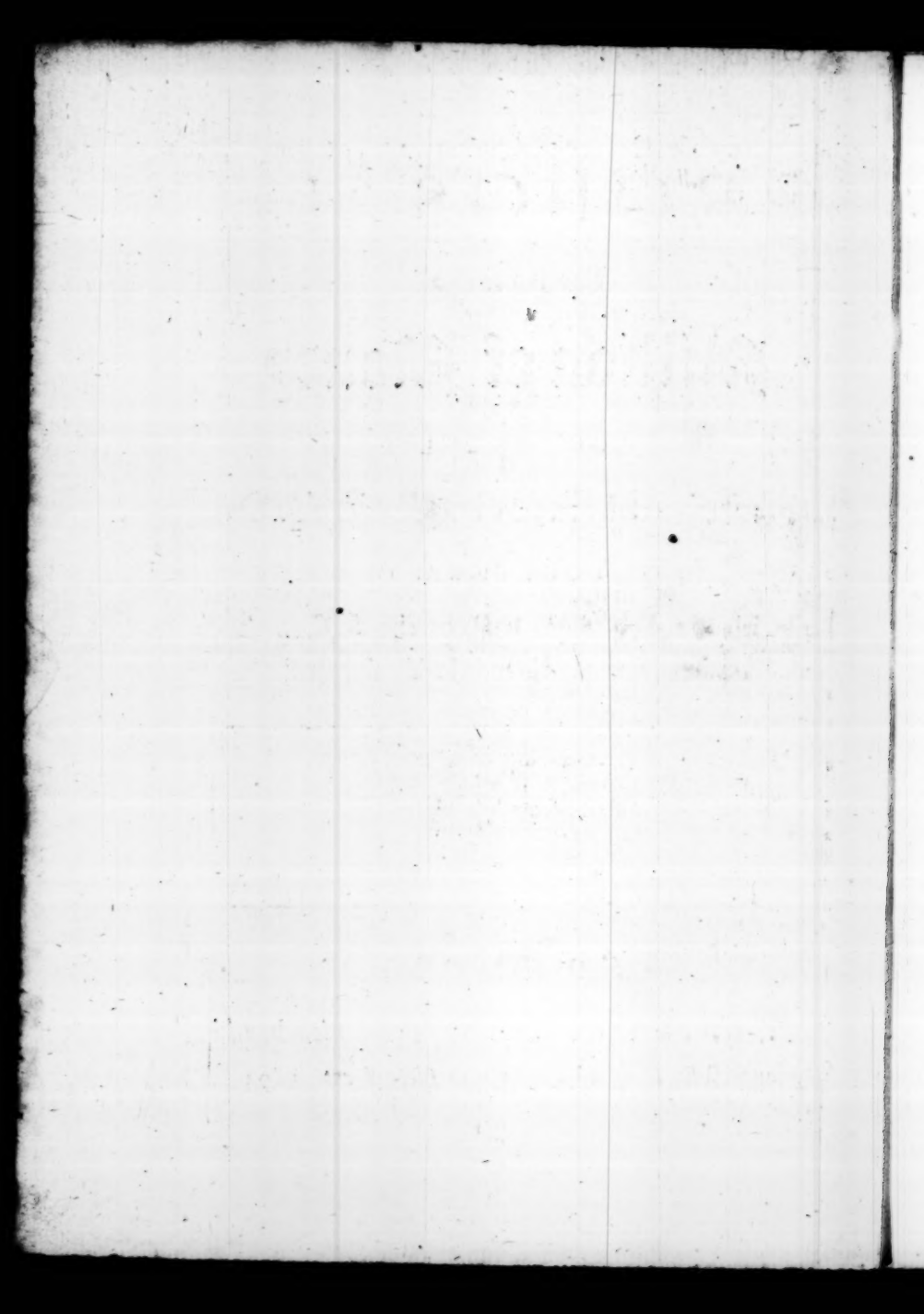
TOGETHER,

With the ANSWER of the *Iriſh* to the
ſame, and a REPLY thereto.



L O N D O N :

Printed for *T. Goodwin*, at the *Maiden-head*,
againſt *St. Dunſtan's Church*, in *Fleet ſtreet*. 1694.



TO ALL
True Englishmen.

TH E unparallel'd Charity of this Kingdom to the Distressed Protestants of *Ireland*, who in such numbers during their late heavy Persecution, fled hither as to their *Asylum*, has made so sensible impressions upon all grateful Men amongst them, that even the providing for their own future safety, seems not more their present aim and desire, than making all possible returns to those who when they were hungry fed them, naked cloathed, and banished their own Country, received them with open Arms. But when both these Considerations, that of Gratitude, as well as a lasting Settlement, are so interwoven, as that what provides for the one, will be some Manifestation of the other, 'twere unpardonable, if the People of *Ireland* should let slip such an opportunity. The Expence of reducing that Kingdom has not been so inconsiderable, but that every Man in *England* has felt his share of the weight, but the Fatal Consequences of that Rebellion few People consider, for in truth the whole Charge of the Two last years War, besides what more it may cost *England*, is purely due hereto. Had that Kingdom submitted to Their Majesties Government when publick notice was given them, of their Right to the Crown of *England*, and consequently to that of *Ireland*, the *French* King had long since been obliged to have sued for Peace on such Terms as Their Majesties, and their Allies would have granted him; but such was the necessity of Reducing that Kingdom as soon as it was possible (least, as 'tis plain, it was designed, it should entirely fall into the *French* King's Hands) that Their Majesties were obliged to employ those Forces there, who in one Campaign, or two at most, would then have effected what already has proved the work of five: The Consumption of the Treasure of *England* hereby has been prodigious, but not to be named in Comparison with the Lives of so many Brave *English* Men, whose Widows and Orphans, as well as their Country, owe this Irreparable Loss to *Ireland*. And

now that Kingdom is reduced, the greatest Care must always be taken by the *English* to secure themselves at home, by preventing its falling into Foreign Hands, and of all Nations in the World, *France* the most dangerous; they in less than an Age have so encreased their Power at Sea, that they now vye their Fleet with our Royal Navy; and in Trade have so grown upon us, that 'tis certain had they the *Irish* Harbours, our Trade must be absolutely in their Power, and such, and only so much would fall to our share, as they should think fit to allow us. This was the greatest Consideration that mov'd the Parliament of *England* so freely and largely to Tax this Nation, for Reducing the Rebels of *Ireland*, though at the same time the great Benefit that would accrue to *England* by the Forfeitures in *Ireland* was sufficiently inculcated. Experience in all former Ages has taught us, that upon the least Troubles, or even appearance thereof in *England*, the *Irish* have laid hold of every opportunity of encreasing them, and shaking off the *English* Yoak; Is then this Nation so entirely secure at this time? And so wholly free from all apprehensions of any Distractions or Troubles that may hereafter befall us, that it is not worth their utmost care so to settle the *English* Interest of *Ireland*, as that it may not be in the power of the *Irish* to let in an Enemy at our Back-door; instances there are beyond number of their willingness at all times to Ruin *England*, and can this Age answer it to Posterity, if they let slip the present opportunity put into their Hands, whereby they may for ever put it out of the power of the *Irish* again to Rebel.

In order to which (after that Kingdom was Reduced) the House of Commons taking the same into their Consideration, as well as the great Expence *England* had been put to for Reducing *Ireland*, and thinking it most equitable that what had cost them so much, should as far as 'twould go be applyed to the use of the War, did most humbly address His Majesty herein, who was graciously pleased on Monday the Fifth of January Ninety, to tell them, *That no Grants of the Forfeited Estates in England or Ireland should be made till there should be another opportunity of settling that matter in Parliament in such manner as should be thought most expedient.*

The Kingdom of *Ireland* having now been Reduced above two years, 'twas thought a very near estimate of the Value of the *Irish* Forfeitures might be made, and in order to lessen the Charge of *England* as much as might be, 'twas mov'd by a Worthy Member of the Honourable House of Commons, That the Value of the *Irish* Forfeitures might be examined; pursuant to which Motion the Proposer gave an account thereof at the Bar of the House, and afterwards he and several Gentlemen of *Ireland* delivered the following Proposals to a Committee of the House of Commons appointed to receive Proposals concerning the Forfeitures in *Ireland*, and likewise for securing the Protestant Interest there. The Committee

mittee having reported these Proposals, the House upon Debate of the Matter came to this following Resolution, on *Friday* the Twelfth of *January* 1693. *That a Bill be brought in to Vest the Forfeited Estates in Ireland in Their Majesties, to be applied to the use of the War.* Pursuant to which Resolution a Bill was brought into the House, has been Read a Second time, and ordered to be committed to a Committee of the whole House.

The *Irish* being Alarm'd hereat, have privately handed about a Pamphlet by way of Answer to the Proposals ; whether it be so or not is referred to every unprejudiced Reader, and that he may have the whole Matter fairly before him, the Proposals, the Answer, and Reply are here presented to him : If it appear that the Calculation is reasonable, and that the Answer either avoids the most material Parts, or Refutes no part of the Proposal, he cannot sure but think that a Million of Money lay'd at this time to this Nation, is a piece of Service that deserves Acceptance, which is all that the Proposer, or those concerned with him, aim at, or desire ; but if to this is added undeniable proof, that this method alone can in humane probability prevent future Rebellions in *Ireland*, and thereby save both the Treasure and Blood of *England* ; sure no Man can take Exception to it, but either such as are to lose their Estates, or those who may and do entertain hopes of having great ones given them. Now whether doing what in Gratitude is due to the People of *England*, as well as a Justice to them, and the future Security of the *English* Interest of *Ireland* can by any Honest or Good Men be omitted on these accounts, cannot admit of a Dispute.

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PROPOSALS

Concerning the
Forfeitures in IRELAND,
 And for Securing the *Protestant Interest* there.

THE *Irish* were by the Court of Claims, after the Restauration, Decreed, to Two Millions three hundred and twenty three thousand eight hundred and nine Acres, profitable Land, *English* Measure, under the following Qualifications:

	<i>Acres.</i>
Decrees of Innocency	1176520
Proviso's	0491001
King's Letters of Restitution	0046398
Nominees in Possession	0068360
Transplantation	0541530

Total 2323809

The *English* were Decreed to 4560037

All which added together, make 6883846

The Lands survey'd as forfeited, amount to 7708237
 Of which there being dispos'd of by the Court of Claims, but } 6883846

There remain'd undispos'd of 0824391

These Lands undispos'd, are either Parts or Fractions of Towns possess'd by *Irish* and *English* promiscuously, without Title, or were, when *Ireland* was distributed unto the Adventurers, Soldiers, and transplanted Persons

Persons, looked upon as doubtful, whether forfeited or not, and so were never set out; a further Enquiry into the Title of those Lands, before they were disposed of, being intended, for which Reason those Lands never came under the Cognizance of the Commissioners of the Court of Claims, nor were they claimed by any.

These Lands have, most of them, since the Court of Claims, been pass'd in Patent to those that discover'd them, both before, and in the Court of Grace, without distinction of *English* or *Irish*, the Person in possession, and making the Discovery, being to have preference. What Proportion hereof fell to the *English*, and what to the *Irish*, cannot be ascertained; but admitting that no more thereof, than a Hundred seventy six thousand one hundred ninety one Acres, which is less than a fourth part, fell to the Papists share, it will make, being added to what they were restored to by the Court of Claims, Two Millions and a half of profitable Acres, *English* Measure.

This Estimate is according to the generally received Opinion of those who very well understand that Kingdom, half a Million of Acres less than what the *Irish* were possessed of, at the time of their present Majesties Accession to the Crown.

But to keep greatly within compass, supposing them to be possessed of no more than Two Millions and a half of Acres, it is to be considered, what part hereof by the late Rebellion is forfeited, and what not, and what part of the Forfeitures are remitted by the Articles of *Galloway* and *Limerick*.

It is notorious, that not an *Irish*-man, who was in *Ireland*, during the late Rebellion, and capable of being guilty thereof, either by being actually in Arms, or by aiding, abetting, and assisting the Rebels, is innocent: so that the only Persons presumed to be so, are either such as continued in *England* during the whole time, of which there are not above three or four known, or Infants, of such an Age as could not capacitate them to bear Arms, or abet and assist the Rebels: In both which Cases 'tis to be noted, That the Heirs, or next in Remainder, may have been, and probably were in Rebellion.

What shall be lessened of the Forfeitures, in both the foregoing Cases, will be abundantly supplied by the Purchases made by the *Irish* Lawyers, Physicians, Merchants, and other Papists, since the Court of Claims, many of them having purchased very considerable Estates on the New Interest; the whole Body of the *Irish* Nation being a thriving People, during the two last Reigns.

That then which lessens the Forfeitures from being at least Two Millions and a half of Acres, is the Articles.

For the making a reasonable Estimate how much will be restored by the Articles, it is to be considered, who of Right are entitled to the benefit of them.

By the first Article of *Limerick* all Inhabitants and Residents of *Limerick* are included ; but how far those words will extend, deserve mature consideration : seeming according to the common acceptation, to design no others than such as had for some time before been Housekeepers, and paid Scot and Lot there, and not Inmates and Persons come into the Town, and sent for thither just before the Signing of the Articles, on purpose to claim the benefit thereof.

All Officers and Soldiers in Garrisons, are likewise Capitulated for, who should submit, &c. where 'tis to be considered, what shall be deemed a Garrison, upon which very considerable Estates depend.

There are a Third sort, which claim the benefit of the Articles, by Virtue of the Additional Article, said to be agreed to, but omitted in the perfected Articles ; and these are computed to be at least one half of those who claim the benefit of the Articles. How far this Additional Article shall take place, is humbly submitted.

On the whole : 'Tis humbly proposed, That the Saving for the *Limerick* and *Galloway* Articles, may be in negative Terms, and not any positive confirming Words ; forasmuch as it is hoped, the Injustice of that Additional Article may be discovered.

But supposing the Additional Article be admitted, it will then be enquired what will be restored by the Articles.

Of this a certain determinate Calculation cannot be made, all those who pretend to the Benefit of the Articles, not having made their Claim, and of those who have Claimed, and are adjudged by the Lords Justices and Council to have the Benefit of the said Articles ; many are supposed not to be Rightfully Entitled thereto. Others not to have appeared to be so to them, altho' adjudged ; an instance whereof is plain in the Case of Sir *James Cotter*, who Claiming the Benefit of the *Limerick* Articles, was opposed by Mr. Serjeant *Osborn* on Their Majesties behalf, on this Suggestion, That supposing him within the Benefit of the Articles, he had Forfeited his Right thereto ; and insisted upon having this Matter heard at the Council-board both on account of the President, which might be of ill Consequence in other Cases, and likewise for that a very Considerable Estate depended hereon. But in this he was over-ruled, the Examination referred to Sir *Richard Cox*, and Mr. *Carleton*, on whose Report Sir *James Cotter*, was adjudged within the *Limerick* Articles, and restored to his Estate.

All Persons who had taken Protection, are excepted out of the Articles, notwithstanding which, several claim the benefit of the Articles, whose Wives, Children, or Friends, had desired Protections for them, and accordingly had such Protections. Notwithstanding which, the Exception out of the Article has been evaded, by the Protection not being delivered into the hand of the very Person himself.

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Those who were on the place, and made the strictest Observation, conclude, that not above Two Fifths of the *Irish* have any just pretence to the benefit of the Articles of *Galloway* or *Limerick*, even the Additional Article being admitted. But to put this beyond exception, admitting Three Fifths, (which is yet unconceivable) to be entitled thereto, there will then remain a Million of Acres forfeited ; which are worth (a good Title being made to the Purchaser by Act of Parliament) a Million of Money Sterling.

In order to the Selling of which, 'tis humbly proposed, That the Gentlemen of *Ireland* may have Fee-Farms granted them of the Forfeited Estates, at greater or lesser Rents, according to the respective Value of the Lands by them taken ; which Rents so secured, will be very well worth Ten Years Purchase.

As to the Value, whoever considers that one Acre with another is Rated but at Two Shillings, and that the greatest part of the Forfeitures happen to be in *Leinster* and *Munster* Land ; in the former of which, by reason of its goodness and nearness to *Dublin*, sets at the best Rate of any part of *Ireland* : and the latter, by reason of its Situation for Trade, has the best and quickest Markets in that Kingdom, cannot but allow the Rent moderately set. But when to this 'tis added, That the Number of Acres calculated, are what are returned by the Survey, when in Truth each parcel of Land contains considerably more than what 'tis surveyed at, besides all the Land return'd as unprofitable thrown in, all the Country Towns, Villages, good Houses, Fisheries, Wares, Ferries, Mills, Fairs, Markets, and all the Timber, and other Woods not being reckoned, must be allowed, that it cannot exceed Twenty-pence per Acre, probably not Eighteen-pence.

There seems to be but one material Objection against this Calculation of the Forfeitures, being worth a Million, which is the Incumbrances that shall appear to be in these forfeited Estates : To which 'tis to be answered :

First, That Incumbrances are pretended to be very much greater than they are, where they are real.

Secondly, Incumbrances are pretended, where there is not the least pretence, being old Debts trump'd up, which have been long since satisfied ; or are such as would not have affected the Forfeiting Person, or his Estate : And it cannot be presumed reasonable, that such should affect the Estate when forfeited ; but many such are let slip in the Crowd, thro' favour or negligence.

But *Thirdly*, All real Incumbrances will be supplied, and more, by the Incumbrances the forfeiting *Irish* have on *English* Mens Estates, if well examined into.

It may be objected, That these Forfeited Estates have never yielded near the Sum proposed, To which 'tis answered :

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First, That the forfeited Estates have been set but from Year to Year, on which Terms no Tenant would take (in the Condition the Kingdom now is) at one quarter part of the Value.

Secondly, Some Grants, and so many Custodiams are made, that the Commissioners of the Revenue cannot know the Value of the Forfeitures.

Thirdly, Orders are issued by the Commissioners of the Revenue, to several Fee-Tenants, setting forth, That soasmuch as the Proprietors have been Indicted, but not Outlawed, nor have been yet Tried, requiring the Tenants to pay their respective Rents to the old Proprietors, by which means the said Rents are struck out of Charge in their Books.

Fourthly, Several Persons of considerable Estates, have procured the Reprisal of their Outlawries, tho' within no Articles.

Fifthly, The greatest skill imaginable has been used for concealing the real Value of the Forfeitures; a most notorious Instance whereof appears in the Earl of *Clancarty's* Estate, which was always accounted worth, at least, Six thousand Pounds a Year, and was returned by an Inquest, who were to enquire into the Value of it, (in order, as is presum'd, to the making a Grant thereof) but at Ninescore Pounds a Year, this is Matter of Fact, and can be prov'd.

Tho' it seems plain, that if the forfeited Estates of *Ireland* before mentioned, be settled by Act of Parliament in *England*, so as that a sure Title may be made to the Purchaser, and that a just and fair Adjudication be made upon the Articles, a Million of Money may be rais'd thereby. Yet there is this further Addition to be made to what before has been propos'd, which 'tis hoped may answer any Objection that can be made as to the Value.

The Forfeitures in Cities and Towns-Corporate, are very considerable, but cannot be reduced to certainty, there being no Rule to make a Calculation by.

The forfeited Tythes and Impropriations are likewise considerable.

In *Cromwell's* time, the sequestred Tythes and Impropriations were set for Sixty thousand Pounds a Year. Of the Estates then sequestred, Two Thirds were decreed to the *English*, and One Third to the *Irish*; of which Third, Two Fifths are supposed forfeited: from whence 'tis presumed, that Two Fifths of their Proportions of the Tythes and Impropriations, are likewise forfeited; which at the Rate they were formerly set at, comes to Eight thousand Pounds *per Annum*.

The Forfeitures of the Personal Estates, were great, tho' very little has been hitherto accounted for. The House of Commons, in *Ireland*, seem'd of Opinion, That if the Embezelments thereof were strictly enquir'd into, a sufficient Fund would arise thereout, for Discharging the Arrears due to the Army. The Tract of Time, and Mismanagement of that Affair hitherto, has, no doubt, put a great deal beyond being retrieved; but yet 'tis humbly propos'd, That some part might be still

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recovered, if faithfully and diligently enquired into. All which put together, 'tis humbly hoped, may be judged a very sufficient Fund for raising a Million of Money.

Fifty two Rebellions which the *Irish* have been guilty of, may sufficiently evince, that nothing can reconcile the implacable hatred of them to the *British* Nation, and that the only way of securing that Kingdom to the Crown of *England*, is the putting it out of the Power of the *Irish* again to Rebel: Gentle means having hitherto always proved ineffectual, and the Favour they received after being conquered in one Rebellion, always laid a Foundation for the next.

The Rebellion that broke out the Twenty third of *October*, 1641, was carried on with that Malice and Privacy, as not to be discovered 'till the very Day before their Barbarity was to have been put in Execution; and this at a time, when the Papists enjoyed the greatest Immunities and Favours from the Government. They enjoy'd the Free Exercise of their Religion, in as Publick a Manner as the Protestants did: They had their Titular Archbishops and Bishops: Their Regular and Secular Clergy, and publick Nunneries: That had likewise an equal share with the Protestants, in the Civil Power, by being Justices of the Peace, Sheriffs of Counties. and, without Discrimination, Members of a Parliament then in being. All which Advantages were by them thought too little, to tie their Fidelity to the Crown of *England*.

This Rebellion, besides the many Thousand *British* Protestants Lives lost, cost Ten Millions seven hundred seventy eight thousand thirty one Pounds Sterling, over-and-above the Loss sustained by the *British* Protestants, computed in the whole, at Twenty two Millions. And tho' in the late Rebellion, the Protestants were not massacred; yet 'tis notoriously known, that their Deliverance is no way due to the Temper of the *Irish* Papists being altered; but to the Hopes the late King *James* had of returning into *England*: which must have been wholly taken away, by shewing the People of *England* what they might expect, had the Protestants of *Ireland* been massacred.

This, tho' so great a Consideration, with much difficulty, prevail'd on the *Irish* Papists: nor had it done so, but that it was back'd by the repeated Promises of the late King *James*, That the *Irish* should have very great Estates granted them in *England*, which would be forfeited to him. So that it seems reasonable to conclude, that nothing less than the putting it entirely out of the power of the *Irish* Papists, can prevent future Rebellions, and obviate the Danger of the loss of that Kingdom to *England*.

In order to which, 'tis humbly propos'd, That the Selling all the forfeited Estates of that Kingdom, not remitted by the Articles of *Galloway* or *Limerick*, to Protestants, will so strengthen the Protestant, and weaken the Popish Interest of that Kingdom, that future Rebellions,

will, with much more ease be thereby prevented, than otherwise they can.

By the intermission of Parliaments in that Kingdom, for Twenty seven Years, the Protestants were in imminent danger, of losing both their Religion and Liberties; and the *Irish* Papists (by whose Interest, during the Two last Reigns, the Calling of Parliaments was always prevented, tho' earnestly prest for by the *English*) received such Advantages as has greatly strengthened their Interest in that Kingdom; and they are become much more formidable than formerly they were, or otherwise could have been taken, for preventing the Growth of Popery, and the growing Power of the Papists.

The Parliament call'd the last Year in *Ireland*, sat so little time, as not to be able to consider of those many Laws that were necessary to be Enacted for the Good of the Kingdom, after so long an Interval of of Parliaments; but agreed, That several Bills Enacted in *England*, since the Tenth of *Henry* the Seventh, were fit to be past into Laws in *Ireland*, which will at large appear by the annexed Votes of the House of Commons; besides which Acts, several others were designed, some of which follow.

By Experience 'twas found in *Cromwell's* time, that Pecuniary Mulcts on Papists, for not going to Church, had brought the greatest part of that Nation to be Protestants; and tho' upon the Restauration of King *Charles* the Second, most of them turned to Mass again: had that Method been prosecuted, their Children having been bred Protestants, would probably have continued so at this day, and thereby the late Rebellion have been prevented: to obtain which Happiness so future Ages, 'twas resolv'd to have address'd the Lord Lieutenant, That a Bill might be drawn, for putting the Laws in force against Papists in due Execution, with such further Clauses as might be necessary for accomplishing so good a work.

The many Popish Schools in *Ireland*, and sending their Children to the Universities in *France*, was, and is at this day, one great reason of the inveterate Malice of the *Irish* to the *British* Protestants, Prejudice of Education having greatly added to the Innate Hatred of their *English*, which in process of time might have been very much lessened by prudent Methods, in encouraging Protestant Schools, forbidding all Popish ones, by preventing their being sent into *France*, and giving some Encouragement to such as should breed their Children Protestants: for effecting which, a Bill was designed, with a Clause against such as should marry Papists, incapacitating them for all Offices of Publick Trust.

The *English*, when *Ireland* was first planting, although then of the same Religion with the *Irish*, thought it necessary for their Safety, to make a Pale within, which no *Irish*-man might inhabit under great Penal-

Penalties. The *English* being now much more numerous than at that time, and of a different Religion from the *Irish*; and having suffer'd so severely by the two late Rebellions, it was thought worth the most serious Consideration, in what places *British* Pales might be made, especially on the Sea-Coast, whereby the Danger of any Invasion from abroad might be prevented, as well as of future Rebellions at home, by the *English* being Embodied, and thereby much better secur'd than they are now by the Garrisons.

These, and many other things, being duly consider'd by a Parliament, 'twas hoped such effectual Course might be taken. as should secure that Kingdom from future Rebellions, and likewise settle the distracted Condition in which now it lies.

Wherefore 'tis humbly propos'd, That a Parliament call'd in *Ireland*, for passing such Laws as shall be judg'd necessary for the Security thereof, for redressing past and present Grievances, and preventing the like for the future, will probably prove the most effectual way for securing that Kingdom: For the accomplishing which, no Methods can be so proper, as what shall be advis'd by the Collective Body of the whole Nation.

All which Matters aforesaid, are, with the greatest Deference, humbly submitted.

The

Proposals for Irish Forfeitures consider'd, with Regard to Law and good Conscience.

The PROPOSALS.

1. **T**HE Forfeitures of Ireland being now propos'd as a Security to raise a Million of Money on towards the Charge of the War, 'twill be necessary to enquire more near into the Value of the said Forfeitures, rather than depend altogether upon a Notional Calculation made by the Proposer, (who contents himself in framing his Project with Numbers of Imaginary Acres without any regard to the nature of a Forfeiture, or the Laws establish'd) for that a disappointment in a matter of this kind may prove of Ill Consequence to the Publick ; which he and his Party don't so much seem to consider, as their own particular Gain, and the Destruction of Innocents, Widows, and Orphans, who have suffer'd but too much already.

2. The Proposer brings the People of Ireland under Two Heads, that is to say, *English*, and *Irish* ; the Possessions of the latter he would have entirely Forfeited, and brings every Estated Roman Catholick of that Kingdom under that denomination, and thence wou'd he insinuate them to be different from the *English* in Temper, and Interest, nay, that they have an innate prejudice and hatred to them.

The REPLY.

1. **T**His Notional Calculation of Imaginary Acres is matter of Record, and may therefore be allow'd a very good Foundation for the Proposer to ground his Proposals upon ; whether there be not sufficient and just regard had to the nature of a Forfeiture, and the Laws established will depend upon the Truth, and Reasonableness of the Proposal, and not upon what you say of it ; by which it will appear whether you, or your Party, or the Proposer, and his have the greater concern for the Publick, and where they are that design particular Gain, as well as who have been guilty of the Destruction of Innocents, Widows, and Orphans.

2. 'Tis true, the Proposer brings the People of England under two Heads, the *English*, and *Irish*, for never was any other distinction made in that Kingdom ; the Nick-names of Parties so fatal in England, (to the almost Ruin of the whole) never took place among the Protestants there, a Happiness in great measure due to the sence the *English* had of the implacable malice, and irreconcilable hatred of their common Enemy, the *Irish*, who they very well knew would make their advantages of any such

them. Thus by false and malicious Suggestions wou'd he carry on a delign to stirp, and ruin a Body of English People, because of a different perswasion from himself; for that the Estates Men of Ireland (to a very few) are defended of Ancient English Families, who at the expence of their Blood first Conquer'd that Kingdom, brought it under the Subjection of the Crown of England, and continued it so ever since. The English who plant in America may with as much reason be call'd Indians, and for that alone have their Fortunes and Estates taken from them.

in that Kingdom. A Renegado Christian always proves the strictest Mahometan, and with very good reason, if the English who plant in America fall into all the Barbarous Customs of the Natives, will they not deservedly obtain the Name of Indians, at least be us'd as such.

3. It is therefore hop'd that the Wise, and Just Senate, the Parliament of England, will consider their Countreymen (tho' in a distinct Kingdom) under their present unfortunate Circumstances, without any prepossessions of prejudice, and take their Case justly as 'tis.

4. King James having gone for Ireland on the Late Revolution, some of the Catholicks there were concern'd in his Army, and some not; of those concern'd in the Army some submitted to the present Government on Articles, others chose to follow him; these are intitled to no favour from that Power to which they re-

such Division among them. The suggestion is as malicious as 'tis groundless, for in the whole Proposal there is not one word that so much as insinuates any Irish Mans Forfeiting, but such only, as were guilty of Treason, nay, there is particular provision for those that were not, as well as for the Article-men; but why being descend'd from English Ancestors should entitle you to Indempnity, who are become inveterate Enemies of that Interest which your Ancestors fought for, and ascerted, is not easily reconcilable to Justice or Policy. In the Rebellion of Forty One a numberless number of Innocent English were Barbarously and Inhumanely Murdered in cold Blood, without regard to Age or Sex; and these very Gentlemen, who now would fain be thought English, as active and cruel as any Mac or O

3. This is a fair Proposal, say and hold, The Parliament of England is a Just and Wise Senate, be they therefore the Judges between us.

4. 'Tis here yielded, that some part of the Irish are Entitled to no favour from this Government; here is one part of the Fund allow'd, we shall anon see what favour they deserve, who think they meris most.

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fu'dro submit, and of consequence their Estates justly to be Forfeited.

5. But as to the Article-Men publick Faith ought to stand good, besides, he was their only known Master, and to whom, as their King, they had promised Faith, and Sworn Allegiance. Then let any impartial Man make the case his own, and seriously examine if at the expense of his Conscience he would refuse performing the Duty of a Subject to his Sovereign when requir'd to it? Must it not then necessarily follow that they acted but the part of Subjects, or at least, the Proposer must maintain that the ties of Faith and Allegiance are of no force, and may be broke with their present Majesties in case of a Foreign Invasion, which is a Doctrine no good Subject will allow of.

These People have now submitted on a solemn Capitulation, and are become Subjects, is it not therefore reasonable they should have the benefit of the same, and be receiv'd into the protection of the Laws, when as by the implacable malice of the Proposers Party, one third of those compriz'd in the said Capitulation are not admitted to enjoy their Estates, and Fortunes, as 'twas stipulated.

6. As

5. No doubt whether there were sufficient reason for granting Indemnity and Pardon to the Irish by the Articles, or not, since 'tis done the Articles ought to be observed, as far as they are consonant to Law, which is all that His Majesty thought fit to grant, for the Confirmation under the Broad Seal is with a quantum in nobis est. But it must not pass without a Remark, That when the French Governour quitted Limerick, he demanded, and had a certificate from the General Officers that the place was no longer tenable, in order to his Justification to his own Master, who would have Hanged him had he delivered the Town in consideration of the Irish being to be pardoned; so that the equivalent so much now talk'd of, for those Articles is meer banter, and has nothing of Truth in it. Your next Assertion is indeed a bold stroke, whatever an Irish Man may think, all English agree that Ireland is an immediate dependant upon the Crown of England, and whoever is King of England, is in right thereof, as much King of Ireland, as he is of Wales; and if so, how comes King James to be your only known Master? you had publick notice throughout the whole Kingdom of their present Majesties, being King and Queen of England, even before the late King James Landed in Ireland, which you will not easily get over; upon the truth of this Matter of Fact we will quit the Merits of our whole Cause. Have a care for fear this Wise and Just Senate to whom you just now appeal'd, think

think you plainly hereby question Their Majesties undoubted Title to the Crown, and by your words (have now submitted) seem to insinuate very plainly that you acknowledge no Title Their Majesties have to Ireland but that of Conquest; upon my word I'll venture at the expence of my Conscience to say they have much a better Right.

I confess I do not see that the consequence of not performing the Duty of a Subject to an Abdicated King must necessarily be that Faith may be broke with their present Majesties in case of a Foreign Invasion; but I make no manner of doubt, but the Irish would as a Man practise it.

But how does it appear that the Proposer or his Party have by their implacable Malice prevented the admission of those comprised in the Capitulation to the Enjoyment of their Estates; I have often heard them complain that they had not Interest enough to prevent the most obnoxious Men in that Kingdom (who were entitled to no Articles) from being restored to theirs, but never did any of them; (and I desire you and your Party to give an instance where they did) so much as repine at restoring any Man to what he was rightfully entitled to, by virtue of any Articles, were that their Temper, there is enough to be said against the whole Articles; but they always had, and ever will have a greater regard to what may have but the colour of Justice, or seem but an honorary Obligation upon his Majesty then to question it; beyond which sure your Party does not expect they should become Intercessors for them. You pass by unanswered what the Proposer desires may be explained as to the words Inhabitants and Residents of Limerick, what shall be deemed a Garrison, and how far the additional Article ought to take place; very well knowing that some of you at this day enjoy great Estates under colour of the Articles to which you have no more Title by virtue of the Articles than those who by express words are excepted out of them. And though the Proposer has omitted taking Exceptions to the Articles of Galloway as lately interpreted, yet will it deserve very mature consideration who shall be deemed a Burgess thereof within the intention of those Articles.

6. As to them, who were not concern'd in King James's Army; some for order, decency, and security in the Commonwealth had and took, Civil Employments, to prevent the mischief a multitude, or populace is capable of, these he wou'd have Forfeiting Persons too.

their Offices, by protecting the Innocent, and punishing the Plunderer and Robber, did themselves in person through every part of the Kingdom under colour of searching for Arms seize on every Penny and Penny-worth they found with the English, which though not Pike or Musket, they always judged equally dangerous to the Government; and lest any thing might remain, the same House has six times in a day been plundered; yet these by your negative words not concern'd in King James's Army, I doubt you intend; in which I could wish you had a little better

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explain d

explain'd your self; but I suppose you omitted it, lest by a Reply to you it should appear that they were the occasion of the Death of more English by Imprisonments and Starving, than ever your Army kill'd in the Field.

7. Others were no way concern'd, more than in Tilling their Ground, and following their lawful Occupations, yet can they not escape this Proposer's heavy stroke, but that they must likewise Forfeit.

Bagoners) and Rapparees, and all such as should fail herein, after a short day given them, were under suspension from Mass; the whole Nation was at one Man confederate against us, and you may rely upon it, the Proposer and his Party would rejoice, that such a Man as you mention might be found, that thereby their Justice might plainly appear, which needs no other proof, than that by the Proposal it self some Innocents are allow'd, and as such are to be restored.

8. In fine, so 'twas order'd, That all the Roman Catholics of the Kingdom, that had any Estate of Freehold, or Lease, to the number of Four Thousand stand now Outlaw'd of High Treason, save some few, who thro' their Majesties Grace and Favour have procur'd Orders to Reverse the same.

9. 'Tis out of these Persons Estates, (without regard to Law, either Humane, or Divine) that this Projector wou'd extract his Fund for the Million of Money.

10. And to that end computes a Million of Acres to be Forfeited, (making his clip'd allowance for the Article-Men) which with the help of Forfeited (or so suppos'd) Tythes, Fairs, Markets, Woods, &c. if valued at 2 s. the Acre per Annum, makes up 100000 l. and that at Ten Years Purchase brings in a Million.

11. This

7. Sure you are all in a Dream, by which part of the Proposal, are those who only Tilled their Ground, to Forfeit; 'tis true, the Proposer can hardly believe there was such an Irish Man in the Kingdom; was it only in order to Tilling their Ground, that by the Priests they were all ordered to Arm, at least with Skeys (i. e.

8. Those Outlaw'd no doubt were so upon very full evidence; and this I'll venture to say, That the few you mention to have reversed their Outlawries are possessed of Estates of greater value than Three Thousand Eight Hundred of the Four Thousand that stand Out-lawed ever had; by which it plainly may appear, that having had an Estate is a sure way to get an Outlawry reversed, but never to continue it.

9. 'Tis out of the Estates of those guilty of Rebellion, (and within no Articles) and none others the Proposer wish very good Reason thinks a Million of Money may be soon raised.

10. A clip'd Allowance indeed made for the Articles of two Towns, three fifths of the forfeited Estates of Ireland; The Proposer, to keep himself sufficiently within bounds, when before so great and discerning an Authority as a House of Commons (from many of whom he believes he should often hear, should this Fund prove short in value of what 'tis proposed as) did allow three fifths de bene esse to be restored, yet I am very confident all your Rhetorick will not persuade him or any Man that knows that

Kingdom

Kingdom, that two Fifths are fairly within Articles, and if some of your Men, who minded only their Plough, were privately consulted, they would tell you the rate of Land is set low enough.

'Tis very probable you may not be a good Judge of the value of the Country Towns, Villages, Houses, Fisheries, Wars, Ferries, Mills, Fairs, Markets, Timber, and other Woods, though you may of Tithes: Therefore for your better Information, I must tell you, That after the Restauration of King Charles the Second, when the several Interests in that Kingdom were to be satisfied, he put this Question to the most knowing Men of it, viz. What Proportion will the Country Towns, &c. (excepting the forfeited Tithes and Impropriations, and the Forfeitures in Cities and Towns Corporate) bear to the Eight Millions of Acres surveyed as forfeited? Who return for Answer, That they were in value one Fifth Part. This added to the over-admeasurement, the Forfeitures in Cities and Towns Corporate, and the Eight Thousand Pounds per Annum for forfeited Tithes and Impropriations, which notwithstanding your (or so supposed) will prove forfeited, seems to be such demonstration, that the Forfeitures are worth more than a Million considerably, that I cannot believe your Opinion or Credit will be able to ballance it.

II. This Calculation granted, (tho' false in this, as in other instances, viz. for that Litterees by the Act of Settlement, as such, were restor'd to no Acres) yet there is no allowance made for such of these Lands, as are fallen in so great a tract of time to Protestant Heirs, sold, or Leas'd to Protestants for Chieftenees, or some small Rents, besides the heavy Incumbrances due to the Protestant Creditors, (of which there are but very few Catholics Estates free) will never be ballanced by Forfeited Incumbrances, as he suggests. Then he destroys all Remainders, and Settlements, by supposing the Parties interested all guilty of Rebellion, and probably many of them Protestants, and Infants.

II. Letterees as such by the Act of Settlement were restored to no Acres; this is truly what ought to be in a Parenthesis, for such Jesuitical stuff never was heard of: Were it to the purpose, 'twere easie to shew many instances where the Irish are restored to what never was designed them by the Act of Settlement; but what matters it whether the number of Acres the Proposer charges to their Account were restored to them as Letterees, when in fact they had them; then whether no Allowance is made for such Lands as are fallen to Protestant Heirs, &c. will rest upon the Credit of your Assertion, that they will not be ballanced by forfeited Incumbrances. In this case the Proposer and his Party have doubly the advantage of you, they were no other ways concerned in Interest than for the Common Safety of the English Interest of Ireland; and their Testimony has something more of Reputation than yours, if on no other account, yet on this, the difference of Nation, one English-men, the other very plainly in many particulars Irish Evidence.

Your Party are very careful of the Protestants that may have remainders, your Arguments are at a low ebb when you come to plead their Cause; but if it serve your present turn, you know well enough

nough how to blow that off hereafter; I dare undertake the Irishman will easily find a way as soon as he is restored to his Estate, to bar any Protestants Remainder; and why the King should be in a worse condition than the Forfeiting Person would have been, had he not forfeited, I doubt will puzzle you to find a Reason for.

12. The Commissioners of the Revenue in Ireland have brought these Forfeitures to a greater certainty, than an airy Calculation can be suppos'd to do, those of them in this Kingdom at present can give an estimate of what they amount to, and out of this two thirds of the Article-Men, not yet restor'd, are to be satisfied; so that 'tis plain this expedient (tho'twere practicable by Law) answers not with any certainty the end propos'd.

is foul play; and many other instances there are of like Nature.

13. However the Proposer and his Adherents makes sure of what they aim at first, to secure all these Lands in Fee-farm to themselves at an easie Rent, then to exterminate a People, who they have but too much injur'd, and leave the Million as a Consequence to happen, or not happen.

their Subjects; this is so gross, that 'twill not be swallow'd by those who would willingly believe some good of you, if they could. But, Sir, lest your insinuation of Self-interest in the Proposer, and his Party should gain on some, I'll explain it to you; Those who were willing to compass what you aim at, that the Forfeitures of Ireland might not be Vested, &c. thought on a more plausible reason against it, than any you have been Fortunate in; That whatever the real Value is, there would not be found Purchasers in England, because they could not be sure of Tenants for the Lands they should Purchase; nor could they be very good Judges of the Value, the Lands not being set; That the English of Ireland were not able to buy them, and that therefore it could not be depended upon as a good Fund for a Million of Money; to obviate which Objection, the Proposer offers this expedient of the English becoming Tenants, which they will either do, paying full Value; or leave the

12. Again, with your Positive Determinations, without answering one tittle of the Objections made against any Calculation that is, or can be made by the Commissioners of the Revenue of Ireland: 'Twas indeed more prudent in you to slide this over, than 'twould have been to endeavour an Answer. But be the Premises what they will, you are sure to bold your Conclusion, This Expedient will not answer the End, ipse dixit. You might in modesty have left out the words (in plain) when you have not given the least ground to think it probable; but this is very plain, that Six Thousand Pounds a Year returned as Nine-score at most, (for if I mistake not 'twas returned but as Eight-score and Ten)

13. Here you cut close, 'in plain the Proposer and his Parties design is self-interest, in taking Fee-farms, and as plain that your great Concern is that the true Value of the Forfeitures may be known; and the Government receive what they shall be given at; good God! what Mettal are some Mens Foreheads made of? How has this Art for Vesting the Forfeited Estates made Converts of the Irish; they are all turned Williamites, nay, the most careful of their present Majesties Interest of any of

the Lands untaken, as to the Parliament shall appear most advantageous to England; their Design being truly that of securing the English Interest of Ireland from the danger of a Rebellion, which they apprehend very near; and likewise a Justice to the English Nation, who besides the great Charge it has undergone for Reducing Ireland, manifested the greatest Affection to the miserable Refugees of that Country, by their great Charity, whereof Twenty Six Thousand were for a great while together partakers; many of whom must have perished, had they not been thus relieved.

14. If these Gentlemen did but offer to their Majesties a Million of Money for the present Exigency of Affairs out of the 4560037 Acres, they now possess, and which they got at small, or no Rates, with the large Purchases made by them these Thirty odd Years past, (and that may justly be computed at much above a Million more) 'twou'd be some proof that this Project of theirs was meant for the Publick Good, but to be thus Generous at other Mens Expence, and that with so great a regard to themselves, shews but too plain the Design to be set on foot for their own particular Interests.

15. It is evident that a Covetous Man is not to be satisfied, for these very Persons (whose Fathers, and many of themselves were Born to little or no Estates) are now possess'd of six parts in seven of a Fertile Rich Kingdom, and yet are not contented, but wou'd play the old Game over again; for that upon the Restoration of King Charles the Second they prevail'd to get an Irish Act of Parliament of their own forming, with such Qualifications on Roman Catho-

14. Well moved, you have robbed and stript us to our skins, have put England to near Two Millions Charge, and would now persuade us to pay your Reckning. The English of Ireland will chearfully give the last Shilling they have towards the Support of this Government, not in the least doubting but that what shall appear indispensibly necessary for their Safety, will be done; and that they are unanimously of Opinion, that what is now propos'd is so, will need no other Proof, than that many of them wait the success hereof before they resolve on settling in Ireland; if it fail, you and your Party will certainly have some of the good Pennyworths you say they bought, for I can assure you to my own knowledge there are those that will abate of the first Purchase.

15. How many who were born to little or no Estates have made Fortunes in Ireland I know not; but dare confidently aver that for one such there are ten English Families who at the time of the late Kings Accession to the Crown liv'd plentifully and well, now begging their Bread, and with this condition of Life they have no great reason to be contented, but what makes it insupportable is, that the Persons who plundered and ruined them do at this day before their Faces unjustly detain (and they are justified in so doing) what they so injuriously took from them; but whatever you carry by strong hand, do not think to palm your falsehoods upon us. An Irish Act of Parliament of our own forming; our under-

Catholicks, that 'twas easier to pass the tryal of *Ordial*, than to be judg'd Innocent by the said Conditions, by the several Clauses and Limitations of the said Act, they intul'd themselves to the Estates of the very Persons, that Fought for the Crown, and never against it, and of such Infants and Orphans whose Fathers dyed for the King by seemingly involving them in a Conspiracy carried on by Sir Phelim O'neile, and his Accomplices; they now wou'd finish at a blow what they left uncompleted, which may plainly appear by what he says was delign'd by their late *Irish* Parliament, as if they had an undoubted Right to Enslave People.

But this Rebellion of Forty One was you say only a Conspiracy of Sir Phelim O'Neal, and his Accomplices, I'll allow it, but his Accomplices were entirely the *Irish* Nation; were not Men, Women and Children, Murdered in every part of the Kingdom at once, and with that Cruelty as would make any Man of Compassion tremble to think on? Was any place free? Or did any escape who fell under their Power? Did not one of the Heads of that Rebellion when apprehended boast, That the design was so far advanced by that time, as it was impossible for the Wit of Man to prevent it? Was this then only a Conspiracy of a Private Man, and his Accomplices? 'Tis but Fifty Three Years since, so that some living Witnesses yet remain, who has often put me upon thinking what the meaning of this publicly avowing so notorious a Falshood can be, for which I could never think of any other Reason than that by handing down these Falshoods to Posterity, the next Age may with as much Confidence assert the Truth hereof, as many now do that of the Gunpowder Plot, being only a design of Vaux, and some few Malecontents his Accomplices.

16. Their Outlawries reach not only all the Living, but call the Buried out of their Graves, many being Outlawed after Death, a proceeding against

understandings were become truly *Irish* if *twas* so; for who can imagine that the Earl of C. should be restored to his Estate, and other Estates almost of equal Value added to it, for betraying Sir William St. Leger Lord President of Munster into an Opinion of his Fidelity, and procuring Arms and Ammunition from him, which be immediately turned on my Lord President and the English, had this Act (as is falsely alledged) been formed by those in the English Interest; That Coll. F.P. who in the Court of Claims was proved to have began Murdering the English at Fourteen years old; to have continued all along the Rebellion in Arms, and whose Mother was hanged for Murder, and making Candles of the English Mens Fat, should be restored to his; the Marquess of A. and a hundred more as notorious Rebels as ever Sir Phelim O'Neile was to theirs; by which it was very plain, and by woful experience we know, that your Tryal of *Ordial* was no more than Pissing a Bed.

16. Not so fast in quest of Mens dying in Rebellion taken after their death against Law and common Sense; if you enquire you will find the Law of Ireland to be so, and in the Queen's time several Precedents for

gainst Law, and Common Sense; for that by the same Rule any, or all the Families of England may be Outlawed since the Conquest; some were actually Prisoners in the Sheriffs Custody, and Outlawed by the Return made by the same Sheriff, and such as appear'd to stop the Process offer'd to be Try'd, yet were refus'd, or otherwise terrified; in short, 'twas the Estate committed the Treason, and not the Man.

England is called in to your Assistance at every turn, but before you so peremptorily demand all the Rights of English Subjects, you would do well to shew that in Reason you ought and may expect like Benefits with them; to Entice you to which 'twill be necessary for you to shew that generally you have demanded your selves like Subjects when 'twas in your power to do otherwise; but lest this may prove too hard a Task, give us one single Instance of it. Laws are adapted and fitted to the tempers of the People and Nation where they are made: Several Crimes (as that of Murder, burning Houses, &c.) are of a deeper dye, and severer Punishments inflicted on them by the Laws of Ireland, than on the same Crimes in England; for that the greatest Severity has never hitherto proved sufficient to keep a People, in their Nature so Barbarous, within any kind of bounds. You forget surely where you are, and are thinking of the Irish Act of Attainder, whereby Women of Fourscore Years Old, Children in Arms, and Numbers of Persons who never had seen Ireland, are attainted. Here indeed 'tis plain the Estate committed the Treason, and not the Man. That any were refused to be tryed, who peremptorily demanded it, I believe in Fact is not true; your own words (or otherwise terrified) explains the matter; for some as Guilty as any in that Kingdom, had the Confidence (relying on the Mercy of the Government) to move for a Tryal, in order to be thereby put into the condition of the most Innocent; these Men might, and probably were told, that if they press for a Tryal, they must expect to undergo the Judgment of the Law, which no doubt sufficiently terrified them, which you express after such a manner, as that People who understand not the matter, may be induced to believe that unreasonable, and unjustifiable menaces were us'd to People that were innocent.

17. And because after long Solicitation and Importunity they find his Majesty will not recede from his Royal Promise as to the Articles, they seemingly consent the same may be confirm'd, but in Negative Terms, to the end, they may have room to cavil at, limit, and construe the

for it; and surely 'tis most agreeable to sense, for in a Country so subject to Universal Defections upon every Opportunity, what other Method can be us'd? During the heat of Alien 'tis not to be supposed Furies can be impannell'd, or Coroners Inquests taken without an Army to Guard them, besides many other insuperable Difficulties render it impracticable: So that if this Method had not been taken, he that dyes in Rebellion, would leave his Hair in a better condition, than many who dye in their Beds; nor will the Inference you draw from hence hold, That by the same Rule all the Families in England may be Outlawed:

17. For shame, it were much fairer if you would answer Reasons, than coin new ones never thought of by the Proposer. You see what he offers against confirming the Limerick Articles by any positive words, to which you have not answered one Syllable: this way of evading what pinches your Party, and mounting the Toistle, must certainly satisfy any indifferent Judge, that you have nothing to say for your selves. The Rules observed upon the restoring you to your Estates no way con-

the same at will and pleasure in the execution thereof; the few that have already been admitted to the benefit of the said Articles were not allow'd the Arrears due to them on their own Tenants, but oblig'd by Recognizance to Release the same, as also the November Rent growing due after the perfection of the said Articles, nor were they admitted to any Chattels real, (tho' the Fortunes of many consisted in no other Estate, and the Capitulation says positively they shall be restor'd to all their Estates, Rights, Titles, and Interests; by the very word (Estates) not only an Inheritance, or Freehold is signified, but also a Term for Years, a Statute Staple, Merchant, Elegit, or the like. Cook's first Instit. 345. a. Such is the favour (as he calls it) they met with on an Execution of the said Articles.

18. Now seeing that the Proposer graciously condescends, that the Article-Men may at one time or other receive the benefit of their Capitulation, whence must we have this Million of Acres? He tells you out

of the Estates of the Protestees, that is to say, first, the Justice of Peace, the Sheriff, Judge, or any other in Civil Employments, (tho' by Commission before the Revolution;) truly 'tis a new sort of Forfeiture, that Men who out of a publick Spirit of distributing Justice, keeping of Peace in a Society, and preventing of Destruction in a Commonweal, shall Forfeit their Birthrights and Inheritances for the same.

19. But he finds you out of another sort of Men that after his way are yet more guilty, and that is the Honest Gentleman, who staid at home to look after his Tilling, his Grounds, and Estate; or otherwise followed his lawful Affairs, without being concern'd in Army or Civil Employment, the Lawyer that minded his Clients Interest, the

cern the Proposer or his Party; if any thing unreasonable were done, let them answer for it, at whose Door it lies; but I believe when the matter comes under Examination, 'twill appear that you complain, as some Travellers do for fear of being robbed; 'tis to be hoped that this whole matter will be re-examined, and that by such Persons as will do you right as to the term of Years, &c. if you have any just Title thereto.

18. Again the same thing, only the hard word Protestees is brought in, which signifies Men, who when they could no longer avoid it, took their Majesties Protection, a Mercy held out to them several times; and they at this day enjoy all the Benefits promised them, and are excepted by express words out of the Limerick Articles.

19. Well said, Sir, if you fail answering the Proposer in one place, you make some satisfaction by answering what he never said in another; pray by what part of the Proposal is this honest Gentleman who staid at home, &c. to Forfeit, or the Lawyer, Physician, Merchant or Shopkeeper who only follow'd his Calling, for so doing to lose his Estate any more than he shall save it for his Profession sake, although guilty of Rebellion. The King's Declaration of the 22d. of Feb. 1688. and every other Declaration you may assure your selves will be religiously observed; I hope you'll allow his Majesty's Declaration upon his Arri-
val

the Physician that took care of *val in England to be so too.*
 his Patient, the Merchant that
 attended his Market, and Business, and the Tradesman that look'd
 after his Shop, these are the Persons, he says, who must have com-
 mitted deep Crimes in thought and imagination (for no other ap-
 pears) and therefore must give all their Fortunes to make up the
 Calculators Fund, tho' they liv'd under the Faith of the Government
 by receiving publick Protections, and were not a little useful to the
English Army, and are expressly within the King's Declaration of the
 22th. of Feb. 1688.

20. If thus People living under the Laws of England must be stript of all, we ought no more to boast of Liberty, and Property, and what is practic'd to day in Ireland may hereafter serve as a Precedent for the future. By the Law every Man is free, and Master of his Property, until he be prov'd guilty *par judicium parium suorum*, or flies from Justice. In the Case of Ireland there happens neither, therefore 'tis against Law, and *Magna Charta* expressly, to keep them out of their Rights: When it is evident by many Instances how well dispos'd the Government is to do all People Right, but their Majesties good Intentions in doing Justice to the Catholicks of Ireland are wholly obviated by the practice of malevolent Persons, who by their Artificial Contrivances continue them Attainted, and of consequence are capable of no Grace, or Favour.

either Plaintiff or Defendant: This has been the Trade for near Three Years, and no relief, how much longer 'twill continue we know not, God in his good time deliver us from such usage after all that we have suffered.

20. *How long have you been so menial-
 ble to the Laws of England? Or what
 have you been stript of since you become
 so? Whilst your Party were in Rebellion
 their Estates were according to Law seiz-
 ed into the King's Hands, most of which
 by favourable Interpositions on their be-
 half have been restored again, which has
 brought the Value of the Forfeitures to so
 little, as 'tis in the Commissioners of the
 Revenue-Books. But since Magna Char-
 ta is named, 'twill be no offence, I hope,
 to say the English have an equal right to
 it with the Irish; in what part of it do
 you find that leave must be given to the
 Subject to take his Legal Remedy before
 he can do it; and yet by the sixth Arti-
 cle of Limerick the poor Protestant is de-
 barr'd from his Action; though there is
 not so much as colour of Law for this, yet
 has the Chancery never failed you at a
 dead lift, where you are sure of an In-
 junction, although no other Equity what-
 ever appears, but that Article; which in
 Consequence proves as good to you, and
 better to the Court, than if the Action
 had never been brought; for besides that
 the Protestant is so reduced, that he is
 not able in that Chargeable Court to fol-
 low a Suit put off from Term to Term in
 your Favour; and the Cause of Action
 being in Trespass, ceases on the Death of*

The Personal Forfeitures you are pleas'd to pass over as you have done many things besides, where you say nothing to it, 'tis to be hoped you allow the Proposal be taken pro confesso.

21. As to the Two and Fifty Rebellions mention'd by the Proposer to have been in Ireland, whether true, or false, is not at this time disputed; and what Countrey has been altogether free from such Misfortunes? But 'tis most certain that neither he, nor one of his Adherents, had any share in quelling these he mentions: 'Twas by those, and their Ancestors (whom he calls *Forfeiting Irish*) they were suppress'd, who fought for every Foot of Land they got there, and gain'd it Inch by Inch until they subdued the whole Countrey, and preserv'd it since for the Crown of England; and if in return of so much Fidelity they must now be destroy'd to make room for, or to gratifie these their Persecutors, 'twill be hereafter but a slender Encouragement for just and faithful Services.

should not after the same manner be disposed of by England, on whom the Charge of Reducing Ireland fell, is hard to say; pray consider it.

22. He wou'd infer as a necessary Consequence from these Rebellions a prejudice and hatred to be ingrafted in those of Ireland against the English Nation, which in practice and experience is most notoriously false; nay, they liv'd after a most Neighbourly and Amicable manner during the last two Reigns,

even

21. You do prudently not to dispute the Fifty Two Rebellions, but your palliating it by asking what Country has been free from such Misfortunes can stand you in no great stead; pray tell me what Kingdom under the Cope of Heaven has in the same tract of time been guilty of so many Rebellions, Massacres, inhumane Murders, and other Barbarities, as the Irish have been. Consult Sir Richard Cox's History of Ireland, Sir John Temple's, the Substance of which was taken upon Oath, and Peter Walsh your own Historian, and you must certainly lay your Hands upon your Mouths, and blush at having Tax'd any Nation in the World herewith. How unconcernedly do you pass over the Rebellion of Forty One, as if it had been no more than a common Riot, and satisfy your self with saying, That neither the Proposer, nor any of his Party, had a hand in quelling any of these Rebellions, which you cannot but know to be notoriously false. I join with you that former Rebellions have been suppressed by the Ancestors of those now call'd Irish, who for their Service therein had the Estates of the Forfeiting Rebels granted them, why therefore those Estates being now justly Forfeited by the late Rebellion,

22. As natural a Conclusion as ever was drawn from Premises, but you say in Fact 'tis false, then begging the Question, That the Irish were the injured People, infer from thence their good nature, for that the injur'd Man forgets and remits the Wrong, but never he that gives it; this last Assertion is certainly true, and to your advantage too, else had there not been now an Irish Man in that Kingdom; for after it was totally subdued,

and

even with the Proposer's Friends, who had a little before taken most part of their Bread from them, by which it plainly appears, that 'tis the injur'd Man that forgets and remits the wrong, but never he that gives it: For who cou'd be better us'd than those of the Protestants, who staid in Ireland during these late Troubles; did they pay extraordinary Taxes, or any thing more than the Catholics? Nay, by all People in Employment they were rather favour'd than otherwise? What might have been done by the Mobb, or Rapparees, was not in the power of Man to help; yet all this Humanity and Justice would he attribute to the hopes King James's Officers had of getting Estates in England; but the Gentleman is apt to mistake, and did not consider, that every Body well knows the People of England don't Forfeit their Estates on such easie terms; however he allows in Fact that they were well us'd, and we are oblig'd to him for this one Truth.

What you say after it? What madness possessed the People if this were true to hazard so many Lives in open Boats in the midst of Winter? Others to lie Night and Day in Caves and Rocks by the Sea-side, watching opportunities of getting off, and generally without a Penny of Money, or Rag of Cloaths, more than what they had on their Backs? Did you ever keep Faith with any that fell into your Hands? (Our Army only excepted, which you did for fear;) Were not Conditions broke with Sir Thomas Southwell and his Party; he and they Try'd, and lay Condemned, (contrary to Faith given) till you durst no longer hold them? Was not Castlemartyr plunder'd contrary to Major General Maccarty's Conditions, Bandon the same, and a hundred more? But 'tis not worth while to dwell

and the Irish entirely in the power of the English, what Nation in the World but this could have born the sight of those who in cold Blood had Butchered their Fathers, Mothers, Brothers, and Relations of all sorts, and had industriously sought the Lives of those very Persons with whom you say they afterwards lived amicably; so that your own Argument turns upon you, and a true one it is. But you are too large in taking in both the last Reigns; during that of King Charles the English had the upper hand, and then indeed they liv'd amicably, but soon after King James came to the Crown you began to shew your selves, and instead of retaliating the kindnesses shew'd you in the foregoing Reigns. Plots were sworn against the English, Twenty or Thirty of the principal Gentlemen of a County accused, and several of them try'd for High-Treason, the most vigorous prosecution imaginable; and all possible care taken for going through stitch with it, but when Teague came to give Evidence, they so thwarted and contradicted each other, that those who had the least Grain of Modesty blush'd at it, a hundred times more Paper than is allow'd for this would not contain the severe usage the English received in that little time.

Your next sentence puts me beyond all patience, the good usage the Protestants who staid in Ireland had: did you not blush at writing this? Or can you expect that ever a word can be believed of

longer upon *nothing* as notoriously false as God is true. However before we part I'll repeat a Paragraph of a Sermon Preached by the Learned and Excellent Bishop of Cork before the Lords Spiritual and Temporal, Oct. 23. 1692. We who were in this Kingdom in the Years 89 and 90. had indeed a Sentence of death in our selves; for we knew our selves in the Hands of Bloody Enemies, Enemies by Nation, Manners, Religion, and Interest, Enemies Insolent, and (some few excepted) Barbarous, and Brutish, Enemies who never kept Faith, nor can be presumed ever will, we were naked even as to defensive Weapons, deprived of all manner of Refuge or Security; yea, many of us oftentimes of the very Necessaries of Life: We were most causelessly either under Imprisonment or Restraints, and not seldom drawn out, and set forth as Men appointed for immediate Death: Our surrounding Guards (not long before our Servants) standing ready with their Arms, and calling for the Word, the Word; and sometimes the Commander in Chief Damning himself, that upon the first sight of the Enemy, he would Sacrifice our Heretick Souls to the Devil: Thus stood it with many of us, who are thought to have fared best: Others, and those not a few, under a formal Sentence of Death, Gallows, and Executioners prepared and appearing. *It were worse with those forlorn numbers driven before the Walls of Derry, of whom God alone knows how many perished; these things are so manifest, that to use the words of our Town-Clark in the Acts, They cannot be spoken against; it admits not contradiction: Now pray what think you? Might not Men be better used than this?*

In the next Sentence you omit saying any thing to one part of what the Proposer ascribes the safety of the English Lives to, viz. The hopes the late King had of returning into England, which was the true cause that the Protestants were not all massacred; and this you cannot but know very well who were so near the Fountain-head, and had the drawing of most of the Resolutions, and Orders.

You very easily convince me that the People of England would never have parted with their Estates to the Irish; and I dare say the Proposer never thought they would, nor does he say any thing like it; but is that an Argument why that might not pass upon Irish-men? If you please to enquire in the places where the Irish Regiments quartered just before the Prince of Orange's Landing, you may be furnished with Stories enough of like Nature; where every day over their Cups, they had Cantoned out the whole Country, and divided the Noblemen, and Gentlemen's Seats among them.

But the Passion which your last Sentence raised, this has lay'd, for I now begin to pity you, do you not Argue admirably well? However, say you, the Proposer allows in Fact that the English who stayed in Ireland in the late Times were well used.

In this your Party shew their Temper with more truth and plainness than discretion; for though the Irish no doubt think that sparing English-men's Lives (although they Rob them of all they have) is good Usage, yet you will never be able to persuade this Kingdom that 'tis so; and I dare undertake for the Proposer and his Party they never looked on it as such.

23. If then all those black Rebellions, and false Reasonings don't prevail, he offers for a concluding, and stabbing stroke, That to make Forfeitures of these Estates by accriminating the Innocent, oppressing the Widow, and stripping the Orphan, is a sure Basis to Build on, and an infallible Mean whereby to preserve the Protestant Religion, by which he shews himself so little a Divine, that he is not commonly Moral, to imagine that any Religion should establish it self by a practice so contrary to what it teaches.

24. Then he desires that Sanguinary, and Penal Laws may be put into their hands, but it shoud seem by their practice, that they need neither, who proceed so violently even against the Establish'd Laws, and regard so little Humanity, and the Laws of God; for that the *Militia* of Ireland, since the Reduction of it by the Army, have under pretext of Rapparees, kill'd several Labouring-men, even at the Plough; because they wanted opportunities during all the War to draw their Swords.

25. Another Expedient he thinks likewise Reasonable, which is, That a Pale may be made for Protestants; and that the Catholics be removed from the Sea-side in all Parts. The English of which is, That where a

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23. So many black Rebellions are certainly Arguments that carry Force in them, and therefore may prevail; look back to the last Paragraph, and tell me who is the false Reasoner; but you are very often guilty of a worse fault than false Reasoning, which perhaps you cannot help, and that is most falsely Representing; for, as you have been told before, the Innocent Widows and Orphans are by express words in the Proposal to be safe: But your hopes is, that many may read your Sheet, who never saw the Proposals, they not being Publick: This is leading the Blind out of their way, which I think has less Divinity and Morality in it, than the Proposer's Proposition, That the only effectual Methods for securing the English Interest of Ireland, are the putting it out of the power of the Irish again to Rebel.

24. Will you not repeat one Sentence truly? Where does the Proposer so much as mention Sanguinary Laws; so far is he from desiring them? But Pecuniary and Sanguinary sound alike, so you might mistake. Your Allegation of the Militia's Murdering Labouring-men being Innocent, for that you must imply, if your Argument have any force, is as false, as that they had not Opportunity during all the War to draw their Swords; a great many of your Country-men to their Cost know the contrary, and might have given them more Opportunities of drawing their Swords, had those who Commanded your Regular Troops durst have met them, which they always avoided as the Plague.

25. You are so taken with Similitude of words, that you think of nothing else; an English Pale is not reasonable, because the next step may be a desire of Impaling; but laying this foolery aside, are not these the Offspring of the Old English, whom we so lately heard of for Conquering Ireland, and defending it for the Crown of Eng-

Catholick shall happen to be restored to his own Inheritance, and the same prove to be good Land, it shall then be in the Power of any of them to transplant him to the top of a Mountain, and to seize on his Right, as being within their Veige. In short, 'tis to be wondered they do not sue for a Power and Liberty to impale them then too at will and pleasure; for that they are in a Circumstance almost as bad, exposed daily to the Insults of their Neighbours, who at discretion may take from them the small Remnant they have left of any kind, and as being Out-law'd, have no Remedy for the same.

What state of Man can be more Miserable than this, or favour more of Bondage? A thing in England so much detested. It is therefore hoped that these Instances will make impressions on every true English-man's heart, and that they will consider those of their own Nation, so as to prevent their being thus injured by a sort of Men, who have always fish'd in troubled Waters, and know not what 'tis to get, but by Rapin and Oppression.

In great measure the Effect of it: 'Tis from thence for Thirty Years past the Irish have received Encouragement, and the Priests there bred have entirely devoted their whole Body to the French Interest, who in all former Times admired and courted the Spaniard as their Parron. Let no body think that so many Irish Scholars are maintained at the French King's Charge out of a Principle of Religion, without other Ends; the Oath which they all take at their Admission, of promoting the French King's Interest at all times, and in all places, might reasonably convince any Man how dangerous a thing this is.

England? *Does not the Proposer tell you, that when first your Ancestors settled in Ireland, they thought it necessary for their Safety to make a Pale, and how comes this unreasonable now? You cannot fancy we believe you English-men still, or that our Throats are safer when in your power, than if the Old Irish were our Masters. Pray let us consult the London, Bristol, and other Merchants upon the Point, whose Ships are not safe, though Eight or Ten Leagues within Land, if a French Privateer be upon the Coast, to whom the Irish may give Notice, and whom they have so often brought in, and will as oft as they have Opportunity; besides that they give constant Intelligence to the French Privateers, and supply them with all manner of Necessaries, is notorious: These Inconveniences making Pales would obviate, were there no danger at any time hereafter of a French Invasion; and indeed you are hard put to it for a Reason against these Pales, when you talk of turning the Irish to the Mountains, and taking their good Land: Here your Candor fully appears, for you cannot but know, that the Sea-Coast of Ireland is the most Mountainous, and poorest Land of the Kingdom, and the Inland Countries the richest and best; but something must be said, whether true or false, to the purpose or not.*

You have again slid over a most material thing mentioned by the Proposer, a Law against sending your Children to the Seminaries in France; a thing so Fatal, as that this late Rebellion is in

26. It is to be presumed that these Catholics for being of that Persuasion are not to lose their Birth-rights. Wherefore it may reasonably be asked, why a Protestant living in Ireland under King James, or actually serving him either in a Military or Civil Employment, should be free under the Protection of the Laws, and safe in his Property; when at the same time his Roman Catholic Neighbour, in equal Circumstances with him, shall forfeit all, and be proscribed? This single Instance shews the Proceedings of these Men of Ireland to be plainly Partial and Unjust.

All this considered, and seriously reflected on, it may with Reason be hoped, and expected, That their Majesties, and all those concerned in the Legislature, will no longer suffer, that Men shall thus be divested of their Properties, against the Laws of God and Man: That some certain Rules or Measures of Justice be put to them like other Subjects, and that all their Outlawries (a Yoak much more intolerable than Chains and Fetters) be reversed, they having done nothing to Forfeit the Protection of the Government since their Submission to it.

27. In Consideration of which, and to be delivered out of the Power of their bitter and insatiable Persecutors, the supposed Forfeiting Persons most Humbly, and Willingly offer to Subscribe to any Tax that shall be thought fit, or reasonable to be given out of their Estates towards the Charge of the War, which in all probability will prove more effective

Equal

26. *No sive, no Subject of England loses his Birthright for his Religion, be it what it will; nor has any People in the World less Reason to complain thereof, than the Papists of Ireland, who all along have had Publickly the Exercise of their Religion tolerated: But the skill is to pretend 'tis for their Religion, when in truth 'tis for Rebellion they are punished; and to that end this Question is asked, Why the Protestants should not forfeit as well as the Papist? The Knot is easily untied; some of the Protestants who had not Opportunity of getting out of Ireland, were for the safety of their Lives forced to act in some things till they could get off, which most of them did as soon as 'twas possible; if any continued, no doubt the difference in Religion ought not to save the Traitor, and 'tis plain 'tis not designed it should; for by the Bill now depending no Protestant is saved who was in Arms after such day as the Parliament shall think fit to name; which I take to be a full and satisfactory Answer to your Query, on which you lay so much stress.*

27. *I readily join with you in this, That if the Forfeited Estates are made a Fund but for a Million, you may afford to give it, and pay the Purchase Money, or at least the greatest part of it out of your Effects which lie beyond-Sea, the Produce of what you robbed the English of: But whether that way may prove effectual for securing that Kingdom to the Crown of England, or the contrary, is worth consideration. - I will therefore conclude with another Paragraph of the Bishop of*

Cork's

Equal to the Government, than the Methods proposed for Selling the said Estates, so much against Reason, Law, and good Conscience; an Undertaking no considerate Man (both for his own, and the sake of his Posterity) will have a hand in.

Lord-Lieutenant and Peers) Pity, ye Princes, and Nobles, and ye Heads of our Tribes and Cities, as many as are here present, pity your selves, pity your Ladies and Children, pity your Names which are yet unborn, pity all, and secure all. Resolve on effectual Counsels, which Provisions which may bear just proportion, not only to the Crimes and rust visitations which we profess, but to the Opportunity we now have; nevertheless we of this Age expect the like Opportunity will recur to us; And if a more than our Hands, and we have no heart for it, remember what Character the Holy Ghost sets on us, *Prov. 17. 16.* 'tis known, I need not name it.

Cork's Sermon: O let us not err again our old Error! Let us not provide that once in Thirty or Forty Years, Thirty or Forty Thousand fresh *English-men* must come over hither to fill untimely Graves. Is there no Manure for the Land of this Kingdom but *English Blood*? Do we find the Soil so fertile, as to answer the Cost of being so often thus sown? (*Then Addressing himself to the*

FINIS.